



SAFETY NET

Water Utilities Department
Environmental Health and Safety Group



Hazcom, Right to Know — The “New” City Program

Richard Dalton, Safety Training Coordinator

Notice

If you have a chemical waste that needs to be disposed of please contact EHS. Because of your diligence many of Tempe's sites have been able to change their ADEQ disposal classification. Keep up the great work.

If you need a place to accumulate your hazardous waste let us know. We want to help you in meeting State and Federal Requirements.

The most frequently cited violations during an inspection from the Occupation Safety and Health Administration (OSHA) are violations of the Hazard Communication Standard, 29 CFR 1900.1200, otherwise known as HAZCOM. OSHA estimates that there are as many as 650,000 potentially hazardous chemical products in use in the US. HAZCOM applies to over 3 million American workplaces, and over 30 million workers.

After 10 years of grueling debate and an aborted plan with the EPA, the standard was first published on November 25, 1983 by OSHA. So, what is the purpose of HAZCOM? According to OSHA the purpose of the standard is, “to ensure

that the hazards of all chemicals produced or imported are evaluated, and that information concerning their hazards is transmitted to employers and employees. This transmittal of information is to be accomplished by means of comprehensive programs which are to include container labeling and other forms of warning, material safety data sheets, (MSDS), and employee training. Both employers and employees have responsibilities under HAZCOM.

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Understanding Safety Training

Trainers, requirements or wants...

One of the most confusing aspects of complying with OSHA regulations is understanding what training is required how often and who is qualified to train.

A common misconception is that all OSHA training is required to be renewed “every year”. In fact there are very few regulations that required employers to train employees annually. So where does the confusion begin, it is easy to blame OSHA, but in fact most of the confusion is rooted in incorrect

interpretations, internal safety programs, or in many cases just not knowing.

Some safety professionals feel annual refresher training ensures employees are getting the message about safety. While training is always good it can lead to complacency and can be an inefficient use of a limited safety budget not to mention a drain on Department resources.

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Hazcom — Right to Know *Continued*

The employer must:

- Conduct an inventory of hazardous chemicals.
- Implement a written program.
- Ensure proper container labeling.
- Maintain copies of MSDS's for all hazardous chemical employees work with.

The employee needs to:

- Learn and know the hazards and dangers of the chemicals they are exposed to.
- Learn and know what protective measures are available to them.

Written Program

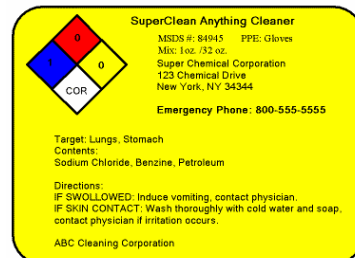
The City of Tempe has and maintains a written HAZCOM program which is available for employees to access in their respective work areas. A written program is required to demonstrate how an employer will meet and implement the requirement of the standard. The written program includes the procedures for training employees, chemical labeling and MSDS management.

MSDS

When most of us think of HAZCOM, the acronym MSDS comes to mind, and this is rightfully so! One of the key components of the standard is employees are required to have “immediate access” to an MSDS, when they are in their work area and of any hazardous chemical that they are working with. All of you should know what an MSDS is, but just in case I will provide a brief description of an MSDS. An MSDS, as defined by the National Safety Council, is “printed material concerning a hazardous chemical, or Extremely Hazardous Substance, including its physical properties, hazards to personnel, fire and explosion potential, safe handling recommendations, health effects, fire fighting techniques, reactivity, and proper disposal”.

As some of you reading this probably know, I have been reaching out to all of the City Departments for the purpose of facilitating the changing over of our MSDS maintenance system to an electronically generated system. Some of the reasons for a citywide MSDS changeover are as follows:

- To give the employees prompt access to an MSDS when needed.
- To reduce paper waste and increase efficiency.
- To maintain continued full compliance with HAZCOM.



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Safety Training *Continued*

Lets face it safety training can sometimes be tedious to say the least for the student especially when the subject has not changed. With that said, in no way should the subject matter (boring or not) or economics ever be factored into the decision to provide a safe work environment, including training.

Some of the most effective safety training an organization can provide is through the use of their own resources, their own people. Typically there are experts (employees) in any given field that “do” the job and can impart a higher level of understanding to students through the use of real life experiences and hands-on demonstrations. A good example of this type of training has been practiced by public safety organizations throughout the United States for years. Their people train the next generation, imparting a special knowledge, an understanding of situational awareness, applicable regulations and subsequent accountabilities that can only be gained through real life experience. Safety training becomes more interesting, even fun when employees learn from the success and even the failures based on real life experiences of other employees.

Most successful training involves getting employees involved not just with hands on training during a class but when employees are involved in performing the training. A majority of training can occur during tailgate or similar small group interactive meetings. Consistency between training can be maintained by developing a lesson plan that can be followed by each work group allowing for specific focus on their own needs. EHS has several such lesson plans already developed that can be used by any work group or employee.



While it is important to get the best trainer for a safety program it is just as important to perform the correct training. So back to the original question, who decides how frequently training is performed, the OSHA standard does. Terms like annually, with in twelve months are found in some of the regulations but most simply leave it to the employer.

More often though a standard simply makes a few simple statements like:

- When the employer has reason to believe that any affected employee who has already been trained does not have the understanding and skill required... the employer shall retrain each such employee.
- Changes in the workplace.
- Inadequacies in an affected employee's knowledge.



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Accident Excuses

Many people who experienced automobile accidents were asked to explain what happened in as few words as possible on insurance/accident forms. The following quotes were taken from these forms and were eventually published in the Toronto Sun...

- Coming home, I drove into the wrong house and collided with a tree I don't have.
- The other car collided with mine without giving warning of its intentions.
- I thought my window was down, but found out it was up when I put my hand through it.
- I collided with a stationary truck coming the other way.
- A truck backed through my windshield into my wife's face.
- A pedestrian hit me and went under my car.
- The guy was all over the road; I had to swerve a number of times before I hit him.
- I pulled away from the side of the road, glanced at my mother-in-law and headed over the embankment.
- In my attempt to kill a fly, I drove into a telephone pole.
- I had been shopping for plants all day and was on my way home. As I reached an intersection, a hedge sprang up obscuring my vision. I did not see the other car.
- I had been driving my car for forty years when I fell asleep at the wheel and had an accident.
- I was on my way to the doctors with rear end trouble when my universal joint gave way causing me to have an accident.
- As I approached the intersection, a stop sign suddenly appeared in place where no stop sign had ever appeared before. I was unable to stop in time to avoid the accident.
- To avoid hitting the bumper of the car in front, I struck the pedestrian.
- My car was legally parked as it backed into the other vehicle.
- An invisible car came out of nowhere, struck my vehicle, and vanished.
- I told the police that I was not injured, but on removing my hat, I found that I had a skull fracture.
- I was sure the old fellow would never make it to the other side of the roadway when I struck him.
- The pedestrian had no idea which direction to go, so I ran over him.
- I saw the slow-moving, sad-faced old gentleman as he bounced off the hood of my car.
- The indirect cause of this accident was a little guy in a small car with a big mouth.
- I was thrown from my car as it left the road. I was later found in a ditch by some stray cat.
- The telephone pole was approaching fast. I was attempting to swerve out of its path when it struck my front.

Side Note

While these excuses are humorous it is important to focus on the fact that accidents are unavoidable, happen out of the blue at home and in the work place. The definition of the word “*accident*” simply paraphrased is when someone is not at fault or negligent. When someone fails to take reasonable precautions in a circumstance and an injury occurs, it really is not an accident. Sure no one meant for anyone to get hurt, but they still did. Remember, if the results of negligent actions are foreseeable, they cannot be considered accidental. Accidents mean there is no one to blame because the incident was unforeseeable.

Accidents typically result in injury, if you find yourself making excuses for an injury it probably wasn't accidental. You may be the victim of an accident, such as failed equipment, improper use of a tool or vehicle by someone else. However, the end result is still injury as the result of negligence by you or someone else...

BE SAFE — NO EXCUSES

The Nuisance of Seatbelts *A 2005 Darwin Award Nominee*

In September of his senior year at the University of Nebraska, 21-year-old Derek wrote an impassioned declaration of independence from seatbelts for his college newspaper. Although "intrusive and ridiculous" seatbelt laws saved 6100 lives a year, according to statistics from the U.S. Congress, Derek concluded with the statement, "If I want to be the jerk that flirts with death, I should be able to do that."

Derek "was a bright young boy, a 4.0" majoring in five subjects and planning to attend law school. He was also smart enough to tutor friends in subjects he didn't even take. But good grades don't equate with common sense.

Derek was returning from a holiday in San Antonio, Texas. The driver of the Ford Explorer and his front seat passenger both wore seatbelts. Only Derek was willing to buck the system, sitting without a seatbelt in the back seat because, in the words of his newspaper column, he belonged to the "die-hard group of non-wearers out there who simply do not wish to buckle up, no matter what the government does."

When the SUV hit a patch of ice, slid off US 80 and rolled several times, Derek, in an involuntary display of his freedom, was thrown from the vehicle. He died at the scene. The other occupants of the SUV, slaves to the seatbelt, survived with minor injuries.

Alcohol was not involved in the accident.

DarwinAwards.com © 1994 - 2006
Submitted by: Stacey Capps
Reference: Lincoln Journal Star



Hazcom — Right to Know *Continued*

The Changeover Process

After a grueling selection process, a contract was awarded to MSDS Solutions to construct the database to meet City needs as well as HAZCOM requirement. Next a Citywide organizational, "tree", was created to identify which workgroups have MSDS's, how many that each workgroup has, their location and a designated contact within the workgroup, usually the first line supervisors. Then a full chemical inventory will be conducted at each location to determine what chemicals are currently on hand. At this time copies of all MSDS in the work section will be turned over to the personnel performing the onsite inventory. Once the inventory is complete, all of the data will be entered into a spreadsheet and the MSDS's will be scanned into a database. The inventory data and the MSDS's will be cross referenced to ensure the sheets match the inventory on hand.



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Safety Training *Continued*



In response to the numerous standards and subsequent training requirements OSHA provides a guidance document to assist employers with determining what are the specific training requirements, what requirements trainers must meet and how often does training have to be performed. Even in this document OSHA expresses the complexity of determining training requirements, how comforting to know that the agency writing the rules sees the difficulty in interpreting them.

There are some basic guidelines provided that include, using accident and injury reports to establish need or frequency, observing employees at work, examining other similar type organizations to see what they are doing. One of the most important factors employees and Supervisors should review when determining training needs and frequency is the level of risk that is present when the job or task is performed.



The City of Tempe workforce is diverse in the types of job duties performed between Departments and in many cases even between work groups within the same Department. Take a specific standard like Personal Protective Equipment (PPE) which applies to almost ever Department and work group in Tempe. Obviously the PPE requirements will vary between groups when you consider the vastness and diversity of occupations, the same hand protection required for Water employees will not be the same for Firefighters, even though the standard applies to both groups, equally. The type of training may need to be performed more frequently because of the level of risk and potential for injury. Not the type of PPE, the potential outcomes if the required PPE is used incorrectly or not at all should be one of the primary factors in a Supervisor decision on establishing training frequencies.

Here are a few of the standards that apply to most of the Tempe workforce and the basic training frequency requirements. Remember, if you are a Supervisor, OSHA standards do not differentiate between full-time, part-time, temporary or even interns, the standards apply to all regardless of work status.

<u>Training</u>	<u>Required</u>	<u>Annual Training</u>	<u>Comments</u>
Back Safety	— ⁽¹⁾	—	Preventative, employer establishes frequency
Confined Space	Yes ⁽²⁾	Yes	See City of Tempe written program for more information.
Crane Safety	Yes	No	Required for employees who use cranes. Additionally, rigging classes are also required.
Defensive Driving	—	—	Preventative, employer establishes frequency.

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The next step will be to match the inventory with the appropriate MSDS to make them consistent and then begin to create a custom database. Once the database is created it will be reviewed by the City of Tempe HAZCOM Program Administrator to ensure that he is satisfied that all of the City needs are met and if so then the creation process is complete and we will then move to implementation. The method of implementation and training will be determined after the program is reviewed in order to provide the most effective means of initiating the implementation process.

When all is said and done, and the process is complete, each workgroup will have the following:

- Access to a custom online database
- CD-ROM backup of the database
- A hard copy binder to match their groups respective online and CD-ROM database.

Questions about changeover can be directed to Scott Mosley, Richard Dalton or Holly Bushaw. You can also visit the EHS intranet at <https://www1.tempe.gov/hpcc/eh&s/hazardcom.htm>. Here are some Frequently Asked Questions about the MSDS process and upcoming change over to the new online HAZCOM Program.

Question 1

Will the electronic database generated as a result of this changeover be in OSHA compliance?

OSHA, has provided an official answer to this question and states that "If the employee's work area includes the area where the MSDS can be obtained, then maintaining MSDS's on a computer would be in compliance.

Question 2

If the network goes down and my computer fails to work, how will I get the MSDS I need?

OSHA does state that using the telephone as a backup to electronic database is acceptable provided the employee gets the MSDS as soon as possible but no longer than two hours later. However, the backup contingency plan is to provide a binder of the MSDS's to the workgroups.

Question 3

When will the citywide changeover be complete?

If everything goes as tentatively scheduled, the changeover could be complete by no later than the end of 2006.

Fact or Myth: You do not need to keep MSDS's for commercial products such as "Windex" or "White out".

The first correct answer with explanation emailed to Richard Dalton will result in a prize!

Safety Training *Continued*

<u>Training</u>	<u>Initial Required</u>	<u>Annual Training</u>	<u>Comments</u>
Ergonomics	—	—	Preventative, employer establishes frequency
Evacuation/Fire	Yes ⁽²⁾	No	Training whenever changes warrant.
Fire Extinguishers	No	—	General education in basic use.
Fork Lifts	Yes	No	Typically retraining every three years
HAZCOM	Yes ⁽²⁾	No	Training whenever changes warrant.
HAZWOPER	Yes	Yes	Only required for employees who work at a hazardous waste facility or respond with the purpose of mitigating a hazardous materials release
Machine Guarding	Yes	—	Preventative, employer establishes frequency
PPE	Yes	—	Training whenever changes warrant. Also requires a JHA
Power Tool	Yes	—	Before an employee uses – Specific to manufactures requirements
Respiratory	Yes ⁽²⁾	Yes	See City of Tempe written program for more information.

The table identifies only a few standards that require annual training. However, remember the measure of any great safety program is the ability of the employees to work safely and retain what they have been taught. In other words able to provide the basics should they be asked by an ADOSH Inspector ask the who, what, when and how of any standard that applies to them. Remember it is your safety, be responsible for it.

Foot Notes:

1. While no specific standard addresses this issue specifically the General Duty Clause does. Employers should look at accident statistics and determine the need and frequency of training.
2. The standard requires employers that have employees covered by this standard to develop written programs. The City of Tempe has developed written programs which have specific requirements.

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